

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

SECOND CITY PRIME STEAK AND  
SEAFOOD COMPANY,

Plaintiff,

v.

PETER J. TEPLER,

Defendant.

Case No. 23-cv-16552

**JURY DEMAND**

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**COMPLAINT AT LAW**

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NOW COMES the Plaintiff, SECOND CITY PRIME STEAK AND SEAFOOD COMPANY, (Hereafter referred to as “Second City Prime”) by and through its attorneys, Kent D. Sinson and Daniel Lynch of the Sinson Law Group, and complaining of the Defendant, PETER J. TEPLER, alleges as follows:

**STATEMENT OF THE CASE**

1. This is a tort action resulting from the Defendant, Peter J. Tepler, causing damage to the delivery truck of Plaintiff, Second City Prime Steak and Seafood Company. The truck was out of service from October 29, 2022 to May 5, 2023.

**PARTIES**

2. Second City Prime Steak and Seafood Company is an Illinois corporation.
3. Peter J. Tepler is domiciled at 383 Seminole Way, Fort Myers Beach, Florida 33931.

**JURISDICTION AND VENUE**

4. This Court has diversity jurisdiction over this action pursuant to 28 U.S.C. §1332(a)(1) as the amount in controversy exceeds \$75,000.00, exclusive of costs and interest, and the parties are citizens of different states.

5. Venue is proper in this District pursuant to 28 U.S.C. §1391 as the case concerns torts occurring in this District.

### **FACTUAL BACKGROUND**

6. Second City Prime Steak and Seafood Company (SCPSSC) is in the business of selling and delivering prime steak and seafood in the Chicagoland metropolitan area.

7. Deliveries are made using a customized truck equipped with a refrigeration system. The truck and its customized nature along with its refrigeration system are the essential component operating assets of SCPSSC. At any given time, the truck is capable of carrying \$250,000.00 of prime steak and seafood.

8. On October 29, 2022, Plaintiff's delivery truck was parked at 324 Burr Ridge Parkway, Burr Ridge, Illinois as part of its delivery to Capri Ristorante Restaurant. Defendant Peter J. Tepler entered the delivery truck without authority, commandeered the truck, and drove it away from Capri Ristorante Restaurant.

9. While possessing and operating Plaintiff's vehicle, Tepler caused substantial damage to the delivery truck's body, its engine, and its distinct business signage. One hour after Defendant Tepler took the truck, it was located at the 7200 block of Chestnut Hills Drive in Burr Ridge, Illinois, near one of Tepler's properties. Tepler was in the vehicle's driver's seat with the engine revving. Tepler told the police that he took and drove Plaintiff's delivery truck away from Capri Ristorante restaurant because he did not want to wait for an uber.

10. Replacement parts were not readily available. Due to the ongoing unavailability of various necessary repair parts for the truck, repairs were not able to be completed until May 5, 2023 . Repairs totaled over \$31,915.87.

11. SSPSSC Second City Prime Steak and Seafood Company does the vast majority of their business during the holiday season. Second City Prime was without its sole delivery truck from October 29, 2022, until May 5, 2023.

**Count I**  
**Tortious Interference with a Business Relationship**

12. Second City Prime Steak and Seafood Co. had a reasonable expectation of entering into and continuing the valid business relationships in the sales of prime steak and seafood through residential and commercial delivery. On the side of the truck was emblazoned “Second City Prime Steak & Seafood, Bringing the Chop House to Your House,” “(630) 854-6924,” and “USDA Prime Beef – Wet Dry/Aged, Kobe/Wgyu – Wild Caught Seafood · Catering – Gift Packages.” ([www.SecondCityPrime.com](http://www.SecondCityPrime.com)). Also, on the sides of the truck was a photograph of a huge prime steak.

13. Peter J. Tepler knew of Second City Prime Steak and Seafood Co.’s expectation that Plaintiff had reasonable expectations of entering into and continuing valid business relationships with consumers of Second City Prime.

14. Peter J. Tepler intentionally and without justification interfered with those various expectations.

15. Peter J. Tepler’s interference prevented Second City Prime Steak and Seafood Co.’s legitimate expectancy from entering into valid business relationships.

16. Second City Prime suffered damages because of this interference.

17. The actions of Peter J. Tepler were committed wilfully, with actual malice, and also with a level of gross negligence demonstrating a wanton disregard for others.

WHEREFORE, the Plaintiff, SECOND CITY PRIME STEAK AND SEAFOOD COMPANY, requests that this Court enter judgment for Second City Prime Steak and Seafood Co. and against Defendant, PETER J. TEPLER, for the following categories of damages: (1) Loss of customers; (2) Out

of pocket damages; (3) Loss of profits; (4) A decline in expected sales; (5) Actual harm to reputation; (6) Emotional damages; (7) Punitive damages; (8) Prejudgment interest; (9) Attorney's fees; (10) Costs; and (11) All other relief available within the law.

**Count II**  
**Intentional Destruction of Property**

18. Peter J. Tepler knowingly damaged the delivery truck of Second City Prime Steak and Seafood Co.

19. The actions of Peter J. Tepler were committed with willfully, with actual malice, and with a level of gross negligence demonstrating a wanton disregard for others.

WHEREFORE, the Plaintiff, SECOND CITY PRIME STEAK AND SEAFOOD COMPANY, requests that this Court enter judgment for Second City Prime Steak and Seafood Co. and against Defendant, PETER J. TEPLER, for the following categories of damages: (1) Loss of customers; (2) Out of pocket damages; (3) Loss of profits; (4) A decline in expected sales; (5) Actual harm to reputation; (6) Emotional damages; (7) Punitive damages; (8) Prejudgment interest; (9) Attorney's fees; (10) Costs; and (11) All other relief available within the law.

**Count III**  
**Intentional Infliction of Emotional Distress**

20. The conduct of Peter J. Tepler was extreme and outrageous.

21. Peter J. Tepler knew that there was a high probability that his conduct would cause such distress to the owners and employees of Second City Prime Steak and Seafood Co.

22. The actions of Peter J. Tepler were committed willfully, with actual malice, and with a level of gross negligence demonstrating a wanton disregard for others.

WHEREFORE, the Plaintiff, SECOND CITY PRIME STEAK AND SEAFOOD COMPANY, requests that this Court enter judgment for Second City Prime Steak and Seafood Co. and against Defendant, PETER J. TEPLER, for the following categories of damages: (1) Loss of customers; (2) Out

of pocket damages; (3) Loss of profits; (4) A decline in expected sales; (5) Actual harm to reputation; (6) Emotional damages; (7) Punitive damages; (8) Prejudgment interest; (9) Attorney's fees; (10) Costs; and (11) All other relief available within the law.

**Count IV**  
**Negligent Destruction of Property**

23. Peter J. Tepler had a duty not to damage the delivery truck of Second City Prime Steak and Seafood Co.

24. Peter J. Tepler breached his duty to the Plaintiff when he caused significant and substantial damage to Second City Prime's delivery truck.

25. Peter J. Tepler's actions causing damage to Plaintiff's delivery truck are the proximate cause of damages to Second City Prime Steak and Seafood Co.

26. The actions of Peter J. Tepler were committed with a level of gross negligence demonstrating a wanton disregard for others

WHEREFORE, the Plaintiff, SECOND CITY PRIME STEAK AND SEAFOOD COMPANY, requests that this Court enter judgment for Second City Prime Steak and Seafood Co. and against Defendant, PETER J. TEPLER, for the following categories of damages: (1) Loss of customers; (2) Out of pocket damages; (3) Loss of profits; (4) A decline in expected sales; (5) Actual harm to reputation; (6) Emotional damages; (7) Prejudgment interest; (8) Attorney's fees; (9) Costs; and (10) All other relief available within the law.

Dated: December 6, 2023

SINSON LAW GROUP

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/s/ Kent D. Sinson  
Kent D. Sinson, Attorney for Plaintiff

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In accordance with Rule 5(d), the undersigned demands a jury trial.

Dated: December 6, 2023

SINSON LAW GROUP

/s/ Kent D. Sinson

Kent D. Sinson, Attorney for Plaintiff

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